THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 9170 of 2006

DATED:28.04.2006

Between:

Smt. Kommu Gayatramma and others

..Petitioners

And

The District Collector, Ranga Reddy District and another.

..Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 9170 of 2006

ORDER:

In this writ petition, the petitioners assail the circular instructions issued by the Joint Collector, Ranga Reddy District, in Rc.No.E2/406/2001, dated 06.02.2001, whereby and whereunder all the Sub-Registrars in Ranga Reddy District were directed not to entertain any document for registration of the lands for agricultural or non-agricultural purposes whenever produced without prior approval or No Objection Certificate from the District Collector.

It is not necessary to refer to the factual background. This Court in a number of writ petitions has declared the same circular as illegal and without jurisdiction. In spite of the same, the Registering Authorities refused to register the documents presented by the petitioners. Therefore, they filed the present Writ Petition.

When the matter is called in the morning, the learned Assistant Government Pleader for Revenue (General) brought to the notice of this Court that this Court by

its order, dated 13.04.2006, in W.P.No.6751 of 2006 directed the District Collector, Ranga Reddy District, to issue necessary orders recalling the impugned Circular and that such steps are being taken. Therefore, the matter was adjourned to enable the learned Assistant Government Pleader to produce a copy of the Circular. When the matter is called in the afternoon, a memo No.E5/2198/2006, dated 28.04.2006, issued by the District Collector, Ranga Reddy District, and addressed to the District Registrar, all Sub-Registrars and all Mandal Revenue officers in Ranga Reddy District, is placed before this Court, which reads as under.

> Vide communication bearing No.E2/406/2001, dt.6-2-2001, a direction was issued directing the Sub-Registrar in the district not to entertain the Registrations of land without obtaining No Objection Certificate from the District Collector, the Circular has been invalidated by the Hon'ble High Court of Andhra Pradesh.
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> The Hon'ble High Court in W.P.No.1952/02, has invalidated the Circular and the same was affirmed by the Division Bench of the Hon'ble High Court in W.A.No.1133 of 2004.
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> In spite of the above, it is noticed that the Registering Authorities are rejecting registrations on the ground of the said Circular dated 6-2-2001.
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> Therefore, the said Circular instructions in Rc.No.E2/406/01, dt.6-2-2001 is hereby recalled. It is further clarified that the Registering Authorities of Ranga Reddy District shall not refuse any registration on the ground of the said Circular.

In view of the same, the registering authorities cannot refuse registration of the sale deeds in respect of agricultural/non-agricultural lands. There is no necessity for production of No Objection Certificate from the District Collector.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

28.04.2006

GJ